

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1749 - SB 2285

March 8, 2022

SUMMARY OF BILL AS AMENDED (015156): Requires a court presiding over the appeal of a judgement in a contested case to interpret a statute or rule de novo and not defer to a state agency's interpretation of the statute or rule. Requires the court, after applying all customary tools of interpretation, to resolve any remaining ambiguity against the state agency.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions:

- Pursuant to the Administrative Office of the Courts Code of Judicial Conduct, Rule 2.4, an independent judiciary requires that judges decide cases according to law and fact, without regard to whether particular laws or litigants are popular or unpopular with certain entities, including government officials.
- Specifying certain frameworks for interpretation in contested cases will not have a significant fiscal effect on state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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